

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CLERK'S OFFICE

NOTICE OF FILING AND HEARING AND PREFILE TESTIMONY DEADLINES

DOCKET NO. 2021-124-C

Windstream Communications, LLC

Application of Windstream Communications, LLC for Designation as an Eligible Telecommunications Carrier in Certain Census Blocks in Spartanburg and Jasper Counties for Purposes of Receiving Federal Rural Digital Opportunity Fund ("RDOF") Phase I Auction, and Request for Expedited Consideration

If the Application or Petition in this case contains a request for adjustment of rates, the rates are subject to potential modification by the Commission during the course of this case.

Windstream Communication, LLC, ("WC" or the "Company") filed with the Public Service Commission of South Carolina ("Commission") an Application for Designation as an Eligible Telecommunications Carrier ("ETC"). The Company intends to use the Rural Digital Opportunity Fund ("RDOF") Auction funding for unserved, high-cost Census Blocks located in Jasper and Spartanburg counties, which are identified in Exhibits A and B of the Application. The Application states the RDOF support assigned to the Company will assist with expansion of its coverage within these unserved areas; provide increased quality of service to those customers; and increase the reliability, speed and delivery of series to these areas. Additionally, the Application states the Company will provide Lifeline and discounted service to qualifying low-income customers who reside within the Census Blocks. The Application further states WC intends to use a proven fiber-to-the-premise network architecture to deliver broadband and voice services to potential customers in the unserved areas. The Applications states the RDOF Auction award would result in WC receiving the RDOF support funds totaling \$253,740.00 over the next ten years. The Applications states in order to be eligible for the RDOF support funds WC must be designated as an ETC in the Census Bocks and thereby requests expedited review and approval by June 7, 2021. The Company requests a waiver of S.C. Code Ann. Regs. 103-690.C.(b) to the extent it would prohibit their designation as an ETC in an area smaller than a wire center. The Application was filed pursuant to Section 214(e)(2) of the Communication Act of 1934, as amended, Sections 54.201 and 54.202 of the Federal Communications Commission rules, and the Commission's requirement in S.C. Code Ann. Regs. 103-690.

A copy of the company's application can be found on the Commission's website at www.psc.sc.gov under Docket No. 2021-124-C. Additionally, a copy of the application is available from the company's representative Weston Adams, III, Esquire, Nelson Mullins Riley & Scarborough, Meridian – 17th Floor, Columbia, South Carolina 29201.

Any person who wishes to participate in this matter as a Party of Record should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **Thursday, May 20, 2021**, by filing the Petition to Intervene with the Commission, by providing a copy to the Office of Regulatory Staff and by providing a copy to all Parties of Record. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. ***Please refer to Docket No. 2021-124-C and mail a copy to all other Parties in this docket.*** Any person who seeks to intervene and who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the company at the above address, on or before **Thursday, May 20, 2021**. ***Please refer to Docket No. 2021-124-C.***

PLEASE TAKE NOTICE that a hearing, pursuant to S.C. Code Ann. Regs. 103-817, on the above matter has been scheduled to begin on **Wednesday, July 28, 2021, at 2:00 P.M.**, before the Commission in the Commission's Hearing Room at 101 Executive Center Drive, Suite 100, Saluda Building, Columbia, South Carolina 29210 for the purpose of receiving testimony and evidence from all interested Parties. The hearing may continue through **Thursday, July 29, 2021**, if necessary.

INSTRUCTIONS TO ALL PARTIES OF RECORD (Applicant, Petitioners, and Intervenors only):

**** On or before Wednesday, July 14, 2021**, please provide the order of witnesses to be presented during the hearing, whether there is an objection to taking direct and rebuttal or surrebuttal testimony together during the hearing, and whether or not there is a desire to use panels of witnesses. ******

All Parties of Record must prefile testimony with the Commission and with all Parties of record. Prefiled Testimony Deadlines: Applicant's **Direct Testimony** Due: **Wednesday, June 16, 2021**; Other Parties of Record **Direct Testimony** Due: **Wednesday, June 30, 2021**; Applicant's **Rebuttal Testimony** Due: **Wednesday, July 7, 2021**; and Other Parties of Record **Surrebuttal Testimony** Due: **Wednesday, July 14, 2021**. All Prefiled Testimony Deadlines are subject to the information as posted on www.psc.sc.gov under *Docket No. 2021-124-C*.

For the most recent information regarding this docket, including changes in scheduled dates included in this Notice, please refer to www.psc.sc.gov and *Docket No. 2021-124-C*.

PLEASE TAKE NOTICE that any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments in person to the Commission during the hearing.

Persons seeking information about the Commission's procedures should contact the Commission at **(803) 896-5100** or visit its website at www.psc.sc.gov.

4/15/21